

1 BILL NO. Z-80-09-29

2 ZONING MAP ORDINANCE NO. Z- 28-80

3
4 AN ORDINANCE amending the City of
5 Fort Wayne Zoning Map No. R-14 & R-18.

6
7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
8 INDIANA:

9 SECTION 1. That the area described as follows is hereby
10 designated a "B-2-A", Neighborhood Shopping Center (Laverne Plaza):

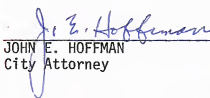
11 The North 689.5 feet of Lot 26; the North
12 689.5 feet of the East 115.5 feet of Lot 27;
13 the North 475 feet to the West 49.5 feet of
14 Lot #27 and the North 475 feet of the East
15 133 feet of Lot #28 in J.H. Feichter's Gardenvue
16 Addition.

17 SECTION 2. The "B-2" Shopping Center Symbol now located at the
18 intersection of East State Boulevard and the SE corner of Laverne Avenue;
19 City of Fort Wayne, Indiana zoning map under the terms of Chapter 33,
20 Municipal Code of the City of Fort Wayne Zoning Map No. R-14 and R-18,
21 referred to therein, established by Section 33-11, of said Chapter is
22 hereby deleted.

23 SECTION 3. That this Ordinance shall be in full force and effect
24 from and after its passage, approval by the Mayor and legal publication
25 thereof.

26
27 
28 COUNCILMEMBER

29 APPROVED AS TO FORM AND LEGALITY

30 
31 JOHN E. HOFFMAN
32 City Attorney

Read the first time in full and on motion by Eustach, seconded by Nuckols, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ day of _____, at _____ o'clock _____ M., E.S.T.

DATE: 7-23-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eustach, seconded by Nuckols, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	_____	_____	<u>1</u>	_____
BURNS	<u>X</u>	_____	_____	_____	_____
EISBART	<u>X</u>	_____	_____	_____	_____
GiaQUINTA	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	<u>X</u>	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
SCHOMBURG	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 11-25-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-28-80 on the 25th day of November, 19 80.

ATTEST:
Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)
Vivian P. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 19 80, at the hour of 2:30 o'clock P. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 24th day of December, 19 80, at the hour of 10:30 o'clock A. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-09-29

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14 & R-18

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

11-25-80
CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CL.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 23, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-09-29; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

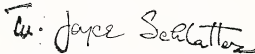
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

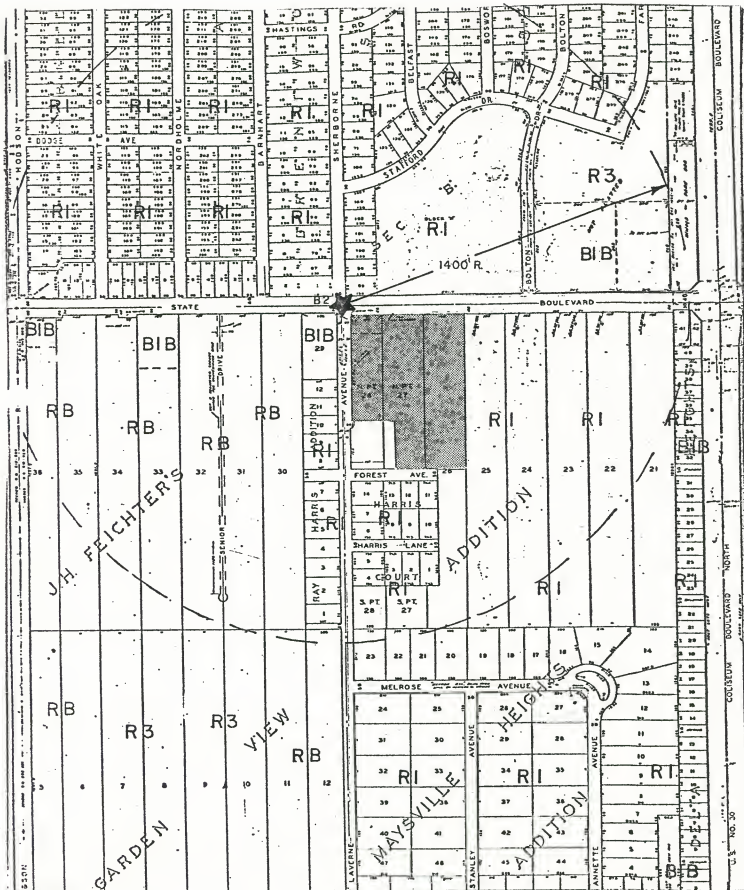
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1980.

Certified and signed this
30th day of October 1980.

A handwritten signature in dark ink, appearing to read "Joyce Schlatter". The signature is written in a cursive, flowing style.

Joyce Schlatter
Secretary



REQUEST TO REZONE FROM A B-2 SYMBOL TO A B-2-A DISTRICT

2-80-09-29

PETITION FOR ZONING ORDINANCE AMENDMENT

The Fort Wayne City Plan Commission does hereby petition the Fort Wayne Common Council to amend the Zoning Map of Fort Wayne, Indiana, by zoning Laverne Plaza a "B-2-A", Neighborhood Shopping Ctr. Laverne Plaza is presently designated a shopping center by authority of a "B-2" Shopping Center Symbol, which symbol is located at the intersection of East State Boulevard and the Southeast corner of Laverne Avenue. The Commission further petitions the Fort Wayne Common Council to delete the "B-2" Shopping Center Symbol located at the intersection of East State Boulevard and the Southeast corner of Laverne Avenue from the City of Fort Wayne, Indiana zoning map. Laverne Plaza is more particularly described as follows:

The North 689.5' of Lot 26; the North 689.5' of the East 115.5' of Lot #27; the North 475' of the West 49.5' of Lot #27 and the North 475' of the East 133' of Lot #28 in J.H. Feichter's Gardenvue Addition.

FORT WAYNE CITY PLAN COMMISSION

Ju. Joyce Schlatter

Joyce Schlatter
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 October 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 27, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-09-29
2. From "B-2" Shopping Center Symbol to "B-2-A", Neighborhood Shopping Center District
3. Intended Use: Laverne Plaza
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. Because of judicial proceedings the "B-2" symbols have been removed and it is necessary to assign appropriate designations for these centers.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

DIGEST SHEET

TITLE OF ORDINANCE Shopping Center Reclassification (Laverne Plaza)DEPARTMENT REQUESTING ORDINANCE CD&PSYNOPSIS OF ORDINANCE This Ordinance will place this center into the correct shopping center classification within the new Shopping Center Ordinance.EFFECT OF PASSAGE This Center will be classified under the new ordinance and will be permitted to develop.EFFECT OF NON-PASSAGE Denial will prohibit any future development within the present shopping center boundaries.MONEY INVOLVED (Direct Costs, Expenditures, Savings) None(ASSIGN TO COMMITTEE (J.N.)) Regulations



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, Clerk -:- Room 122

December 9, 1980

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of December 12, and December 19, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Zoning Map Ordinances:

Bill No. Z-80-09-28
Zoning Map Ordinance No. Z-27-80

Bill No. Z-80-09-29
Zoning Map Ordinance No. Z-28-80

General Ordinances

Bill No. G-79-08-20
General Ordinance No. G-23-80

Bill No. G-80-10-51
General Ordinance No. G-24-80

Please send us 14 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

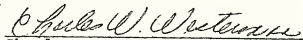
Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL; 1

AN EQUAL OPPORTUNITY EMPLOYER

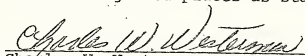
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Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No.
G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 --
General Ordinance No. G-24-80, will be available for reading in the following
places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the
main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings
in the Office of the City Clerk of the Fort Wayne,
Indiana



Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled
and posted the above ordinances in the designated places as stated on
December 12, 1980.



Charles W. Westerman
City Clerk



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

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Thank you.

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CWW/ne
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AN EQUAL OPPORTUNITY EMPLOYER

LEGAL NOTICE

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Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-80-10-51 -- General Ordinance No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No. G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 -- General Ordinance No. G-24-80, were passed by the Common Council on the 25th day of November, 1980, said Ordinances were signed and approved by the Mayor on the 4th day of December, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No. G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 -- General Ordinance No. G-24-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

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Charles W. Westerman
City Clerk

Port Wayne Common Council

(Governmental Unit)

Allen

County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

94

2

96

COMPUTATION OF CHARGES

96 lines, 1 columns wide equals 96 equivalent lines at .253¢, \$ 24.29 cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

12 extra 6.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

30.29

AMOUNT OF CLAIM.

\$ 30.29

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on December 12, 1980.

Charles W. Westerman
City Clerk

Port Wayne Common Council

(Governmental Unit)

Allen

County, Ind.

To JOURNAL-GAZETTE Dr.FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

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94296**COMPUTATION OF CHARGES**

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

12 extra6.0030.29

TOTAL AMOUNT OF CLAIM.

DATA FOR COMPUTING COSTWidth of single column 9.6 picasSize of type 6 point2

Number of insertions

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

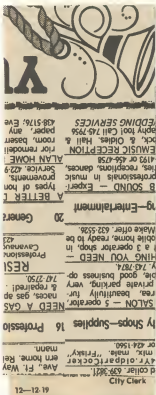
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arvilla Dewald***Dec. 19 80**

Date, 19

Title **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTEa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 12/12 - 12/19/8019th December 1980Subscribed and sworn to before me this 19 day of December 19September 28, 1983 Notary Public

My commission expires



Port Wayne Common Council

(Governmental Unit)

To **NEWS-SENTINEL** Dr.**Allen**

County, Ind.

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DATA**Pursuant**I hereby
has beenDate **D**

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Charles W. Westernman
City Clerk
of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on December 12, 1980.

Charles W. Westernman
City Clerk

12-12-19

Publication (50 cents for each proof in excess of two) **12 extra**

OF CLAIM.

6 pica

Size of type..... 6..... point

Size of quad upon which type is cast..... 6.....

Ch. 89., Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

D. RooseTitle..... **CLERK****PUBLISHER'S AFFIDAVIT**

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... **D. Roose**..... who, being duly sworn, saysthat she is..... **CLERK**..... of the**NEWS-SENTINEL**a..... **DAILY**..... newspaper of general circulation printed and published in the English language in the city of..... **FORT WAYNE, INDIANA**..... townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... **two times**..... the dates of publication being as follows:**12/12 - 12/19/80**Subscribed and sworn to before me this **19th** day of **December** 19 **80**

Notary Public

My commission expires..... **September 28, 1983**

